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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,662	01/15/2004	Joseph A. Cervantes	HSJ920030236US	5882
7590 06/30/2008				
John L. Rogitz Rogitz & Associates Suite 3120 750 B Street San Diego, CA 92101			EXAMINER DALEY, CLIFTON G	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 06/30/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/758,662

**Applicant(s)**

CERVANTES ET AL.

**Examiner**

CLIFTON G. DALEY

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-5 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 5 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This action is Final. Claims 1, 3, 4, 5 and 7 are currently pending. Applicant's arguments filed 2/24/2008 is fully considered herein and is not persuasive.

### ***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 4, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mangerson (US 6504138) in view of Han et al. (Hereinafter "Han": US Patent Application 2002/0051242).

**Regarding claim 1**, Mangerson teaches a self-contained character recognition system, comprising:

a housing configured for receiving at least one paper document (**Column 9, lines 45-50**);

a scanner in the housing outputting a digitized representation of information on the paper document (**Fig. 8, scanning element 210**);

a processor in the housing (**Fig. 1, processor 102**) and executing a character recognition module for converting the digitized representation into electronic text (**column 5, lines 49-51**); and

at least one storage device in the housing for storing the electronic text (**Fig. 1, medium 159**), wherein the processor automatically executes the character recognition module upon scanning a document and stores the electronic text in the storage medium, without the need for a user command, the system not having a user input device (**Column 8, lines 25-32, i.e. next action determined by software, without need for a user input**).

Mangerson does not explicitly disclose the storage device as a hard disk drive (HDD).

However, Han discloses a self-contained character recognition system wherein the electronic text scanned from a document is stored on a hard disk drive (**¶ 0041, lines 9-12**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Han's hard disk drive for Mangerson's storage device, the motivation being to provide high storage capacity to Mangerson's system.

**Regarding claim 4**, Mangerson combined with Han teaches the system of claim 1, wherein the HDD is removable from the housing (**Han: ¶ 0041, lines 9-12**).

**Regarding claim 5**, Mangerson combined with Han teaches the system of claim 1, further comprising an output bus on the housing for transferring data on the HDD to an external computing device (**Han: ¶ 0047, lines 8-11 and ¶ 0109, lines 2-3, i.e. Ethernet**).

**Regarding claim 7**, Mangerson combined with Han teaches the system of claim 1, further comprising: at least one output device on the housing (**Han: Fig. 3, display 62**).

3. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mangerson combined with Han as applied to claim 1 above, and further in view of Sasaki (US 5674012).

Mangerson combined with Han teaches the system of claim 1 wherein the HDD includes at least one data storage disk (**Han: ¶ 0041, lines 9-12**).

Mangerson combined with Han does not explicitly disclose the limitation wherein the HDD includes a HDD controller and at least one data storage disk.

However, Sasaki discloses a system wherein the HDD includes a HDD controller (**column 6, lines 36-39**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Sasaki's HDD controller in the Mangerson/Han HDD in order to simplify control of the HDD by the processor.

**Summary of Applicant's remarks:** Mangerson has and needs a user input device. Omitting a user input device from Mangerson would prevent OCR triggering by a user.

**Examiner's response:** Mangerson clearly discloses that a user input device for OCR triggering is optional (column 8, line 26-27 "a user or software is queried for the

next action to occur"). Mangerson provides interfaces for a user input device (Fig. 1, Keyboard/Mouse Controller) but does not require one, clearly anticipating that "software" could be used to provide the necessary prompt for OCR triggering.

The original 103(a) rejections are maintained.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLIFTON G. DALEY whose telephone number is 571-270-3144. The examiner can normally be reached on Monday - Friday 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on 571-272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samir Ahmed  
Examiner  
Art Unit 2624

CGD  
6/20/2008  
/Samir A. Ahmed/  
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